

KING & SPALDING

King & Spalding LLP
1185 Avenue of the Americas, 34th Floor
New York, NY 10036-4003
Tel: +1 212 556 2100
Fax: +1 212 556 2222
www.kslaw.com

David Kiefer
Partner
Direct Dial: +1 212 556 2232
Direct Fax: +1 212 556 2222
dkiefer@kslaw.com

March 15, 2021

VIA ECF

Hon. Jesse M. Furman
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Consent Letter-Motion to Consolidate Related Actions and Joint Response to the Court's March 12, 2021 Order, *Baker Hughes Energy Services LLC et al v. International Engineering & Construction S.A. et al.*, Civil Action No. 1:21-cv-01961-JMF; *International Engineering & Construction S.A. v. GE Oil & Gas, LLC et al.*, Civil Action No. 21-cv-02003-JMF

Dear Judge Furman,

We write on behalf of Petitioners in *Baker Hughes Energy Services LLC et al v. International Engineering & Construction S.A. et al.*, Civil Action No. 1:21-cv-01961-JMF (the "Petition to Confirm Action") and Respondents in *International Engineering & Construction S.A. v. GE Oil & Gas, LLC et al.*, Civil Action No. 21-cv-02003-JMF ("Petition to Vacate Action"), in response to this Court's Order dated March 12, 2021 (ECF No. 6 in Petition to Vacate Action; ECF No. 9 in Petition to Confirm Action) ("March 12 Order"). Counsel for Petitioner in the Petition to Vacate Action and Respondents in the Petition to Confirm Action has consented to this letter-motion and response.

In the March 12 Order, the Court tentatively granted the parties' consent letter-motion to adjourn the briefing schedule in both actions, but ordered the parties to confer and "submit a joint letter indicating whether they believe there is a more efficient briefing structure and schedule or not." On March 14, 2021, the Court accepted the Petition to Vacate Action as related to the Petition to Confirm Action.

March 15, 2021

Page 2

In light of the Court's March 12 Order, the parties have conferred and hereby jointly request to consolidate the above-referenced actions and further propose an amended briefing schedule in the consolidated action as discussed below.

Because the Petition to Confirm and the Petition to Vacate Actions concern the same arbitral award and involve similar facts and issues, the parties believe that it would be most efficient to consolidate the two proceedings pursuant to Fed. R. Civ. P. 42(a)(2).

The parties further request to adjourn the briefing schedules in the above-referenced proceedings as follows. Given that the parties are labeled both "Petitioners" and "Respondents" in the respective actions, for ease of reference, we refer to the Petitioners in the Petition to Confirm Action as the "Parties Seeking Confirmation" and the Respondents in the Petition to Confirm Action as the "Parties Seeking Vacatur."


- The Parties Seeking Confirmation shall file a single memorandum of law in opposition to the Petition to Vacate and in support of the Petition to Confirm no later than March 25, 2021. This consolidated memorandum of law shall not exceed 30 pages. The additional pages are intended to accommodate any further materials which the Parties Seeking Confirmation plan to submit, if any, in support their Petition to Confirm. ECF No. 7.
- The Parties Seeking Vacatur shall file a single memorandum of law in opposition to the Petition to Confirm and reply in support of the Petition to Vacate no later than April 8, 2021. This consolidated memorandum of law shall not exceed 35 pages, the combined page limit for opposition and reply memoranda under this Court's local rules.
- The Parties Seeking Confirmation shall fill a reply memorandum of law in support of the Petition to Confirm that is limited in scope to issues raised in the Petition to Confirm no later than April 16, 2021. This reply memorandum shall not exceed 10 pages.

The parties note that they are mindful of this Court's desire for efficient briefing and will endeavor to avoid any unnecessary or duplicative arguments.

For the reasons discussed above, the parties respectfully request that (1) the Petition to Confirm Action and the Petition to Vacate Action be consolidated pursuant to Fed. R. Civ. P. 42(a)(2); and (2) the Court adjourn the deadlines in accordance with the amended briefing schedule set forth above.

We thank the Court for its consideration.

Sincerely,



David Kiefer

March 15, 2021

Page 3

cc:

James E. Berger

Joshua S. Wan

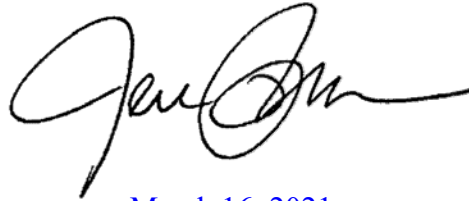
David G. Hille

Elizabeth Oger-Gross

Joshua D. Weedman

Application GRANTED as to both requests (consolidation and the parties' proposed briefing schedule and structure). The Clerk of Court is directed to file this endorsement on both above-captioned dockets and to terminate 21-CV-1961, ECF No. 12, and 21-CV-2003, ECF No. 9. The Clerk of Court is further directed to consolidate 21-CV-1961 and 21-CV-2003 under case number 21-CV-1961, and to close 21-CV-2003. All future filings shall be on the 21-CV-1961 docket.

SO ORDERED.

A handwritten signature in black ink, appearing to be "Janet M.", written in a cursive style.

March 16, 2021